

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

UNITED STATES OF AMERICA,

And,

THE STATE OF LOUISIANA

Plaintiffs,

V.

ORION ENGINEERED CARBONS, LLC,

Defendant.

Civil Action No. 17-CV-1660

**NOTICE OF LODGING OF FIRST AMENDMENT TO CONSENT
DECREE PENDING SOLICITATION OF PUBLIC COMMENT**

Plaintiff the United States of America, by and through the authority of the Attorney General of the United States and through the undersigned attorneys and acting at the request of the Administrator of the United States Environmental Protection Agency (“EPA”), provides notice that the attached, proposed First Amendment to Consent Decree (Exhibit A) (“CD Amendment”) is hereby lodged with the Court pending solicitation of public comment by the United States. The proposed CD Amendment would, if entered by the Court, adjust certain compliance deadlines at Defendant’s carbon black manufacturing facilities. **As explained below, at this time the United States respectfully requests that the Court not sign the proposed CD Amendment unless and until the United States files a Motion for Entry.**

Before the proposed CD Amendment can be finalized, the United States must satisfy requirements regarding public comment. Paragraph 17 of the proposed CD Amendment provides that the United States reserves the right to withdraw or withhold its consent if the

comments regarding the CD Amendment disclose facts or considerations indicating that the CD Amendment is inappropriate, improper, or inadequate. The U.S. Department of Justice will publish in the Federal Register a notice that the proposed CD Amendment has been lodged with the Court and soliciting public comment for a period of thirty days. After the close of the comment period, the United States will evaluate any comments received, determine whether any comments disclose facts or considerations which indicate that the proposed CD Amendment is inappropriate, inadequate, or improper, and then advise the Court whether the proposed CD Amendment should be entered. Until that time, the United States respectfully requests that the Court not sign the proposed CD Amendment.

Respectfully submitted,

TODD KIM
Assistant Attorney General
Environment and Natural Resources
Division
United States Department of Justice

OF COUNSEL:

KELLIE ORTEGA
Attorney
Air Enforcement Division
Office of Civil Enforcement
U.S. EPA
Washington, DC 20460

CARLOS EVANS
Associate Regional Counsel
Office of Regional Counsel (RC-EA)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733
Phone: (214) 665-8184

s/ Katherine A. Abend
KATHERINE A. ABEND
Trial Attorney
JASON A. DUNN
Senior Attorney
Environmental Enforcement Section
Environmental and Natural Resources
Division
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 514-2463
Email: Katherine.Aabend@usdoj.gov

ALEXANDER C. VAN HOOK
Acting United States Attorney
Western District of Louisiana

s/ Shannon T. Brown
SHANNON T. BROWN (32366)
Assistant United States Attorney
300 Fannin Street, Suite 3201
Shreveport, LA 71101
Telephone: (318) 676-3600
Email: Shannon.Brown@usdoj.gov